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*Attorneys for Defendants
Frank Dreesen, Kristopher Ledingham,
Oswald "Justin" Reyes, James Stogner
and Brian Williams*

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COUNSEL/PARTIES OF RECORD	
JUL 30 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

OR DER

LOUIS RANDOLPH,
a.k.a., CLYDE LEWIS,

Plaintiff,

v.

NEVADA DEPARTMENT OF CORRECTIONS
(NDOC), et al.,

Defendants

Case No. 3:17-cv-00085-MMD-CBC

**MOTION FOR EXTENSION OF TIME TO
FILE DISPOSITIVE MOTIONS
(First Request)**

Defendants, Frank Dreesen, Kristopher Ledingham, Oswald "Justin" Reyes, James Stogner and Brian Williams, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby submit their Motion for Extension of Time to File Dispositive Motions (First Request). This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request a sixty (60) day extension of time out from the current deadline (July 31, 2019) to file dispositive motions in this case. Defense counsel has recently been reassigned this matter from another attorney. Defense Counsel requests an extension of time to familiarize himself with this claim. Additionally, Counsel is in the process of preparing for a Jury Trial in this Court.

1 Counsel for the Defendants is scheduled to be second chair on a trial in the United States District Court
2 for the District of Nevada. Counsel is scheduled to assist Ms. Gerri Hardcastle as second chair in a trial
3 in front of Judge Robert C. Jones, 3:15-cv-00543-RCJ-CBC. Ms. Hardcastle has less trial experience
4 than Counsel. In order to provide the best representation to the Client, a decision was made that
5 Counsel would assist in the trial of the Gruber matter. However, trial preparation is ongoing, and will
6 take additional time this week to be fully prepared.

7 Defense counsel also submits that this Division has experienced a wave of recent retirements
8 and departures. Although the Division is depleted, new Deputy Attorneys General (DAGs) should be
9 arriving in early August to help restore normal functionality. Defense counsel respectfully requests this
10 extension to accommodate the new arrivals and the Division during this transition period.

11 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

12 When an act may or must be done within a specified time, the court may,
13 for good cause, extend the time: (A) with or without motion or notice if
14 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

15 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for a
16 thorough briefing to narrow or eliminate issues in this case. The requested sixty (60) day extension of
17 time should permit the parties time to adequately research draft, and submit dispositive motions in this
18 case. Defendants assert that the requisite good cause is present to warrant the requested extension of
19 time.

20 For these reasons, Defendants respectfully request a sixty (60) day extension of time from the
21 current deadline to file dispositive motions in this case, with a new deadline to and including Monday,
22 September 30, 2019.

23 DATED this 29th day of July, 2019.

24 AARON D. FORD
25 Attorney General

26 By:


27 DOUGLAS R. RANDS, Bar No. 3572
28 Senior Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED

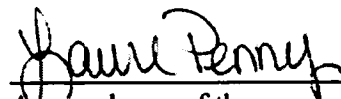

U.S. MAGISTRATE JUDGE

DATED: 7/30/2019

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 29th day of July, 2019, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS (First Request)**, to the following:

Louis Randolph, #48875
AKA Clyde Lewis, #48875
Southern Desert Correctional Center
PO Box 208
Indian Springs, NV 89070



An employee of the
Office of the Attorney General

DECLARATION

DOUGLAS R. RANDS

DECLARATION

DECLARATION OF DOUGLAS R. RANDS

1
2 1. I, Douglas R. Rands, am over the age of 18 and am otherwise fully competent to testify
3 to the facts contained in this declaration.

4 2. The statements contained in this declaration, except where otherwise indicated to be
5 upon information and belief, are based on my personal knowledge and experience.

6 3. I am an Attorney licensed to practice law in the Federal District Court for the District of
7 Nevada.

8 4. In connection with the filing of this declaration, I submit this declaration in support of
9 Defendant's Motion for Extension of time in the matter entitled *Randolph v NDOC, et al.*, currently
10 pending in the United States District Court, District of Nevada as Case No. 3:17-cv-00085-MMD-CBC.

11 5. Defense counsel has recently been reassigned this matter from another
12 attorney.

13 6. I am in the process of preparing for a Jury Trial in this Court. I am scheduled,
14 be second chair on a trial in the United States District Court for the District of Nevada.

15 7. This week, I am involved in trial preparation, which will take additional time this week
16 to be fully prepared.

17 8. Defense counsel also submits that this Division has experienced a wave of
18 recent retirements and departures. Although the Division is depleted, new Deputy
19 Attorneys General (DAGs) should be arriving in early August to help restore normal
20 functionality.

21 FURTHER I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is
22 true and correct.

23 EXECUTED this 29th day of July, 2019

24
25 
26 _____
27 Douglas R. Rands
28